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NO. 8708 P. 1

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## FAX TRANSMISSION

**DATE:** November 10, 2005

**PTO IDENTIFIER:** Application Number 10/537075-Conf. #2104  
Patent Number

**Inventor:** Maria Keßeler et al.

**MESSAGE TO:** US Patent and Trademark Office

**FAX NUMBER:** (571) 273-8300

**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP  
Hui-Ju Wu

**PHONE:** (502) 658-9141

**Attorney Dkt. #:** 12810-00091-US

**PAGES (Including Cover Sheet):** 14

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Marked Up Copy of Notice of Acceptance of Application

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**CONNOLLY BOVE LODGE & HUTZ LLP**  
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Application No.: 10/537,075

NOV 10 2005

Docket No.: 12810-00091-US

Docket No.: 12810-00091-US  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Maria Keßeler et al.

Application No.: 10/537,075

Confirmation No.: 2104

Filed: June 1, 2005

Art Unit: 1645

For: L-RHAMNOSE-INDUCIBLE EXPRESSION  
SYSTEMS

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT AND NOTICE OF ACCEPTANCE  
OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request that a corrected Filing Receipt and a corrected notice of acceptance of application under 35 U.S.C. 371 and 37 CFR 1.495 be issued in the above-identified patent application.

The official Filing Receipt received by Applicants, a marked-up copy of which is attached hereto, has errors.

1. The application as filed includes one drawing,
2. The application as filed has 15 total claims,
3. The third inventor as listed should be read as follows: "Bernhard Hauer" instead of "Bernhard Hauter," and
4. The Foreign Application should be read as follows: "GERMANY 10256381.0" instead of "GERMANY 1025638.0." A copy of the Declaration, submitted with

Application No.: 10/537,075

Docket No.: 12810-00091-US

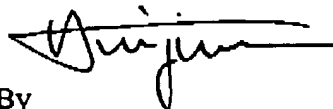
the initial filing of the application and showing the correct priority data is attached hereto.

Further, the official Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 received by Applicants, a marked-up copy of which is attached hereto, omitted the drawing filed on 06/01/2005. Correction thereof is respectfully requested.

Applicants believe no fee is due with this request, however, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00091-US, from which the undersigned is authorized to draw.

Dated: *Nov. 10, 2005*

Respectfully submitted,



By

Hui-Ju Wu

Registration No.: 57,209  
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NO. 8708 PaP. 4 of 3



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/537,075	06/01/2005	1645	900	12810-00091-US	1	43 15	2

CONFIRMATION NO. 2104

23416  
CONNOLLY BOVE LODGE & HUTZ, LLP  
P O BOX 2207  
WILMINGTON, DE 19899

FILING RECEIPT



\*OC000000017110705\*

Date Mailed: 10/03/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Maria Kebeler, Mannheim, GERMANY;  
Thomas Zelinski, Neuleiningen, GERMANY;  
Bernhard Hauer, Eubgonheim, GERMANY;

*Hauer*

Assignment For Published Patent Application

Basf Aktiengesellschaft, Ludwigshafen, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number **23416**.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/13367 11/27/2003

Foreign Applications

GERMANY ~~4025638.0~~ 12/02/2002

**10256381.0**

Projected Publication Date: 01/05/2006

Non-Publication Request: No

Early Publication Request: No

Title

L-rhamnose-inducible expression systems

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an International application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result in a grant of "an international patent"** and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your Intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/537,075	FIRST NAMED APPLICANT Maria Kebeler	ATTY. DOCKET NO. 12810-00091-US
INTERNATIONAL APPLICATION NO. PCT/EP03/13367		
I.A. FILING DATE 11/27/2003	PRIORITY DATE 12/02/2002	

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

CONFIRMATION NO. 2104  
 371 ACCEPTANCE LETTER  
 \*OC000000017110706\*

Date Mailed: 10/03/2005

### NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>06/01/2005</u>	<u>06/01/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/01/2005
- Copy of the International Search Report filed on 06/01/2005
- Copy of IPE Report filed on 06/01/2005
- Preliminary Amendments filed on 06/01/2005
- Information Disclosure Statements filed on 06/01/2005
- Biochemical Sequence Diskette filed on 06/01/2005
- Oath or Declaration filed on 06/01/2005
- Biochemical Sequence Listing filed on 06/01/2005
- Request for Immediate Examination filed on 06/01/2005
- U.S. Basic National Fees filed on 06/01/2005
- Priority Documents filed on 06/01/2005

- Power of Attorney filed on 06/01/2005
- Specification filed on 06/01/2005
- Claims filed on 06/01/2005
- Abstracts filed on 06/01/2005
- Paper nucleotide sequence listings filed on 06/01/2005

*Drawing filed on 06/01/2005*

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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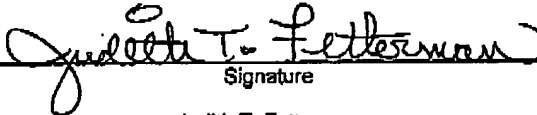
Application No. (if known): 10/537075

Attorney Docket No.: 12810-00091-US

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on November 10, 2005  
Date



Signature

Judith T. Fetterman

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Request for Corrected Filing Receipt (2 pages)

Notice of Acceptance of Application under 35 U.S.C. 371 and 37 CFR

1.495 (2 pages)

Marked up Copy of Filing Receipt (3 pages)

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